

AMENDED IN SENATE APRIL 9, 2012

**SENATE BILL**

**No. 1503**

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**Introduced by Senator Steinberg**

(Principal coauthor: Assembly Member John A. Pérez)

**(Coauthor: Senator Evans)**

(Coauthors: Assembly Members Portantino and Williams)

February 24, 2012

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An act to add Section 12318 to the Welfare and Institutions Code, relating to in-home supportive services.

LEGISLATIVE COUNSEL'S DIGEST

SB 1503, as amended, Steinberg. In-Home Supportive Services program.

Existing law provides for the county-administered In-Home Supportive Services (IHSS) program, *administered by the State Department of Social Services and the counties*, under which qualified aged, blind, and disabled persons are provided with services to permit them to remain in their own homes and avoid institutionalization. *Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services and under which qualified low-income persons receive health care benefits. The Medi-Cal program is, in part, governed and funded by federal Medicaid provisions.* Under the Medi-Cal program, similar services are provided to eligible individuals, with these services known as personal care option services. Under existing law, home and facility care services that are subject to Medi-Cal reimbursement include nursing facility care services and home- or community-based care services, as specified.

*This bill would require the Director of Social Services and the Director of Health Care Services to convene a stakeholder group to*

*design a plan for the integration of long-term services and supports programs, as prescribed.*

~~This bill would state that it is the intent of the Legislature to enact legislation that would integrate the IHSS program with other long-term care services, including nursing facility care and community-based services, to increase timely access to adequate long-term care services and enhance care coordination across long-term care settings.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 12318 is added to the Welfare and  
2     Institutions Code, to read:  
3     12318. The Director of Social Services and the Director Health  
4     Care Services shall convene a stakeholder group to design a plan  
5     for the integration of long-term services and supports programs.  
6     Prior to development of the plan, a process for receiving and  
7     including consumer input shall be established. The plan shall, at  
8     least, do all of the following:  
9     (a) Build incentives into the health care delivery system so that  
10    home- and community-based services become the first option for  
11    long-term care. The plan shall specify that the purpose of these  
12    incentives is to ensure that a person who is able to receive  
13    long-term care at home shall receive it.  
14    (b) Adopt coordinated care models that integrate the In-Home  
15    Supportive Services (IHSS) program and other long-term services  
16    and supports, including skilled nursing care, to ensure that  
17    consumer needs are met across the entire spectrum of care. The  
18    plan shall specify that the overall intent of this integration is to  
19    improve consumer health and well-being, and to maximize the  
20    cost-effectiveness of health care delivery to consumers.  
21    (c) Maintain the key social model components of the IHSS  
22    program and refocus the health care delivery system to include  
23    the social model as a primary component of coordinated care  
24    delivery. The plan shall maintain a consumer's right to hire, fire,  
25    and supervise his or her home care provider or providers to the  
26    extent the consumer is able. Consumers who elect to be a part of  
27    an integrated care plan shall be authorized to participate on their

1 own health care teams, and shall be able to allow their home care  
2 providers to also be a part of their health care teams.

3 (d) Ensure that home care providers have the tools they need  
4 to help consumers manage chronic conditions and prevent  
5 additional health care needs. This shall include access to adequate  
6 training based on the wants and needs of the consumer.

7 (e) Specify that county social workers shall continue to assess  
8 and reassess consumers to determine their care needs and the  
9 number of care hours they shall receive.

10 SECTION 1. ~~The Legislature hereby finds and declares all of~~  
11 ~~the following:~~

12 ~~(a) The In-home Supportive Services (IHSS) program, as~~  
13 ~~described in Article 7 (commencing with Section 12300) of Chapter~~  
14 ~~3 of Part 3 of Division 9 of the Welfare and Institutions Code, is~~  
15 ~~an integral component within California's long-term care delivery~~  
16 ~~system.~~

17 ~~(b) The IHSS program provides home-based care that is~~  
18 ~~compatible with the health condition, mental status, and long-term~~  
19 ~~needs of each consumer, and allows each consumer to safely remain~~  
20 ~~at home.~~

21 ~~(c) The IHSS program relies on providers who can meet a~~  
22 ~~consumer's supportive service and personal care service needs, as~~  
23 ~~defined in Section 12300 of the Welfare and Institutions Code,~~  
24 ~~within each consumer's home.~~

25 ~~(d) The Legislature hereby declares its intent to enact legislation~~  
26 ~~that would integrate the IHSS program with other long-term care~~  
27 ~~services, including nursing facility care and community-based~~  
28 ~~services, in order to increase timely access to adequate long-term~~  
29 ~~care services and enhance care coordination across long-term care~~  
30 ~~settings. This integration shall preserve consumer-directed care~~  
31 ~~within the IHSS program that will allow consumers to continue to~~  
32 ~~hire, fire, and supervise their home care providers when they are~~  
33 ~~able.~~